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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER				
CADU'GAN, ERICA E				
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07/28/2010		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/568,844

Applicant(s)

CURCHER, DENNIS

Examiner

Erica E. Cadugan

Art Unit

3726

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 February 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/GS-08)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date 12/19/2006

DETAILED ACTION

Priority

1. It is noted that the oath or declaration submitted December 18, 2006 appears to be setting forth a benefit claim under 35 USC 120 or section 365(c) to the PCT of which the present case is that national stage under 371. Note that the present application was filed under 35 USC 371 as being the national stage application of PCT/GB04/03553, and that the notice of acceptance of the present application under 35 USC 371 (Form 903) was mailed on April 20, 2007. The present application thus may not claim benefit of the filing date of the international application of which it is the national stage since its filing date is the date of filing of that international application. See MPEP §1893.03(c).

2. Since the notice of acceptance under 35 USC 371 (Form 903) was mailed, it appears clear that the present case is a national stage application (i.e., rather than being filed under 35 USC 111), and thus, is being treated as such (i.e., as a national stage application under 371).

Information Disclosure Statement

3. The listing of references in the specification is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered. Specifically noted that the specification, on page 3, mentions GB 225022A, GB 583202A, and US 3417454A, none of which are of record.

Specification

4. The disclosure is objected to because of the following informalities: on page 6, in the Brief Description of Drawings, in the description of Figure 4, the specification indicates that "Figure 4 is another view of the jig of Figure 1 ...". However, noting that Figure 1 does not show a jig, it appears that the brief description should indicate that "Figure 4 is another view of the jig of Figure 3...".

Appropriate correction is required.

Drawings

5. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "bit for edging, reshaping, and/or cutting the outline of the one or more lenses" of claims 10 and 19 (note that the bit 26 shown in figures is a drill bit); the "lens cooling means" of claims 2 and 12, and the arrangement of claims 5 and 15, wherein the lens holder 36 has more than one socket, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the

renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Double Patenting

6. Applicant is advised that should claim 3 be found allowable, claim 20 will be objected to under 37 CFR 1.75 as being a substantial duplicate thereof. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is unclear in claim 1, penultimate line, claim 11, penultimate line, and claim 20, penultimate line, via the use of the indefinite article "a", whether "a convex surface" is intended to be the same "convex surface" previously set forth in the claim.

In claim 3, it is unclear via the use of the indefinite article "a" whether "a first axis" is intended to be the same "first axis" previously set forth in claim 1. If it is intended to be the

same first axis, examiner suggests changing “a first axis” in claim 3 to --the first axis-- or --said first axis-- for clarity. A similar situation exists in each of claims 4, 13-14, and in the last line of claim 20. That said, specifically regarding claims 4 and 14, it is noted that if claims 4 and 14 are amended to reflect that the “first axis” being referred to in claims 4 and 14 are the same first axis previously set forth in the claims, then it is noted that it is unclear if claims 4 and 14 limit a previous claim, noting that claims 3 and 13 from which claims 4 and 14 respectively depend set forth that the carriage is rotatable “about a first axis through an angle of 360°”, and if claims 4 and 14 refer to that same axis, they would indicate that the carriage is rotatable about that axis “through an angle of at least 300°”, which would serve to attempt to redefine the angle by expanding a range rather than narrowing a range.

There are several positively recited limitations that lack sufficient antecedent bases in the claims. An example of this is: “the lens holder” in claim 5, lines 2-3, claim 7, claim 15, claim 17 (previously “one or more” lens holders set forth); “the mounting block” in claim 5, claim 15 (previously “one or more” lenses, each claimed as having a mounting block); “the spigot” in claims 5, 6, 7, 15, 16, and 17 (noting that each lens of the “one or more lenses has been previously claimed as having a spigot); “the socket” in claims 5, 6, 7, 15, 16, and 17 (previously “one or more” sockets claimed); . This is not meant to be an all-inclusive list of such occurrences. Applicant is required to review the claims and correct any other such occurrences of limitations lacking sufficient antecedent basis.

Claim Rejections - 35 USC § 102/103

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 1, 3-7, 9-10, and 20, any of which were rejected under 35 USC 112 above are as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by, or in the alternative, are rejected under 35 USC 103 as being obvious over, U.S. Pat. No. 5,344,261 to Cliber.

Cliber teaches an arrangement including a “jig” for mounting a lens member 80 (Figure 3, col. 4, lines 58-59, for example). Note that the machining device is considered to have a “two axes coordinate movement bed” at least because the lens mounted on the vacuum chuck 66 is movable in a first axis direction (via movement of 42 along guides 40; see Figure 2 and at least col. 3, lines 58-66, for example) and a second axis direction (vertically via adjusting screw 67, see Figure 2 and col. 4, lines 48-57, for example).

It is noted that the “jig” is considered to be able to be used with a CNC machine, simply by providing such a numerical controller to the machine with which it is used, thus meeting the present broad intended use language (noting that the present claims are directed to a “jig” rather than to the combination of such a CNC machine and a jig).

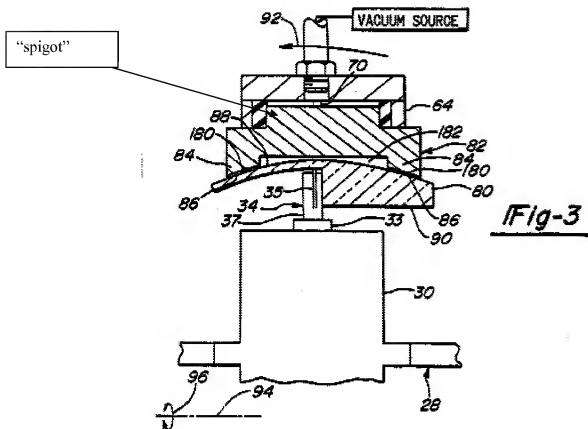
The “jig” taught by Cliber includes a “carriage”, such as 64, that includes the “lens holder” 66 for holding a lens member 80 (Figures 2-3, col. 4, lines 58-59). While it is noted that

it does not appear that such is necessary to meet the present language of the independent claims, noting that the independent claims are directed to the “jig”, it is noted that Cliber does teach that the lens member 80 has a “mounting block” 82 “bonded” to a convex surface thereof (with double sided adhesive tape 180; see Figure 3 and col. 7, lines 24-29, for example).

Additionally, the “carriage” 64 is rotatable about a “first” axis 54 (see Figure 2 and col. 3, lines 33-35 and col. 4, lines 9-12, for example) so as to be able to present the lens member 80 to a tool 34 of the machine at a position (shown in Figure 3) where it is desired to machine the lens (as shown in Figure 3). Furthermore, as broadly claimed, either or both the vacuum holding provided by the vacuum chuck 66 and/or the locating pins 70 are considered to “constrain” the lens member 80 held by the vacuum chuck 66 and “restrict” rotation thereof about an axis normal to the concave and/or convex surface of the lens member 80 (see Figure 3 and also col. 4, lines 48-57, for example).

Re at least claims 3-4 (and 20), as broadly set forth in the claims, the “carriage” 64 is considered to be “able” to be rotated about the vertical axis 54 by as many degrees as is desired by an operator, by, for example, picking the entire machining device (including platform 12) up with a crane or fork truck and rotating the entire machining device about the vertical axis by whatever amount is desired, including an angle of 360 degrees, or including an angle of at least 300 degrees.

Regarding claim 5, note that the mounting block 82 has a “spigot” (labeled in the reproduction of Figure 3 below). Note that the spigot fits into a “socket” of the lens holder (see Figure 3).



Regarding at least claims 5-6, note that Cliber teaches a vacuum source for applying a vacuum to the “underside” of the spigot to hold the spigot in the socket (see Figure 3 and col. 4, lines 48-57).

Regarding at least claim 7, note that Cliber explicitly teaches the use of plural locating pins 70 (Figure 3 and col. 4, lines 50-52), which plural pins, by virtue of their location and engagement between the socket and the spigot, would inherently act to ensure that the spigot does not revolve in the socket (see Figure 3 and col. 4, lines 50-52).

Regarding at least claim 9, noting that the cutting bit 34 is a rotatable cutting bit including the diametrically spaced cutting knives 35 that are configured as shown and described

to enable the machining of the lens member to occur as shown in at least Figure 3, the cutting bit is capable of performing both axial and radial cutting (see Figure 3), and is thus considered to be capable of performing the axial cutting necessary to drill a hole.

Regarding at least claim 10, note that the cutting shown in Figure 3 is a “reshaping” operation of the workpiece, as broadly claimed.

In the alternative, regarding the CNC machine, in the event that it is either held that the present claims positively recite a CNC machine, or in the event language is provided to clearly indicate that such is being recited, Examiner takes Official Notice that the use of computer numerical control (i.e., CNC) in the machine tool art to facilitate and control the very precise movements of the various movable parts, such as the movement of the machining tool and that of the workpiece is very well known and widely used in the machine tool art, for the purposes of reducing operator error and involvement and enabling workpieces to be produced to very close tolerances and very precise dimensions.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have provided well-known control and drive arrangements in the form of a CNC arrangement for driving and controlling the various moving parts of the Cliber reference, i.e., to drive and control the various movements of the workpiece(s) and the tool(s), for achieving the well-known and understood purposes of reducing operator error and involvement and enabling workpieces to be produced to very close tolerances and very precise dimensions.

12. Claims 1, 3-4, 8-11, 13-14, and 18-20, as best understood in light of the rejections under 35 USC 112 set forth above, are rejected under 35 U.S.C. 102(b) as anticipated by U.S. Pat. No.

6,298,531 to Baumbusch et al. or, in the alternative, under 35 U.S.C. 103(a) as obvious over U.S. Pat. No. 6,298,531 to Baumbusch et al. in view of U.S. Pat. No. 5,344,261 to Cliber.

Baumbusch et al. teaches a machine tool arrangement including a workpiece mounting “jig”. The “jig” serves to enable plural workpieces (such as 122a', 122b', 122a, 122b, see Figures 7-8 and col. 10, lines 30-37, for example) to be machined by tools of machining units 113, 114 (see at least Figure 9, for example). The “jig” includes a “carriage” 123a, 123b, 123a', 123b' that is rotatable about a “first” axis Va, Vb, Va', Vb' (see at least Figure 8 and col. 10, lines 1-9, for example) so as to be able to present the workpiece to a tool (mounted on one of the tool spindles 141a-150b, etc. of one of the machining units 113, 114; see Figures 8-9, for example).

Note that the arrangement taught by Baumbusch is numerically controlled (see at least col. 9, lines 1-3 and col. 2, lines 20-22, for example), and that the machine bed of the overall machine is configured to provide multiple axes of coordinate movement of the tools and workpieces (X, Y, Z, V, S, for example).

Additionally, the device is considered to be capable of constraining so as to restrict rotation of the workpieces about, for example, their respective V axis, noting that Baumbusch explicitly teaches utilizing the machine tool to create oblique bores, and that to perform such boring or drilling operations, the workpiece would be kept rotationally still once it had been adjusted to the desired oblique angle, in order for the tool to be able to perform the oblique boring operation (see col. 8, lines 52-60, for example). See also col. 10, lines 8-9, which teaches that the workpieces can be fixed in set rotary positions.

Re at least the independent claims, it is noted that the claims are directed to a “jig” with a particular intended use.

The arrangement taught by Baumbusch is considered to be capable of performing the claimed intended use of holding “lens” workpieces and machining “lens” workpieces, simply by providing a lens workpiece to be clamped instead of the generic workpieces 122a, b, a’, b’, etc., noting that the apparatus is blind as to what the nature of the workpiece is that it holds, and is blind as to the nature of the workpiece that it machines, i.e., the apparatus doesn’t care whether a lens workpiece or a fire hydrant workpiece is presented, but is capable of securing and machining either one by virtue of the fact that it has securing members and cutting bits, thus meeting the present claim language of the independent claims.

Note that the language “for mounting one or more lenses...each lens...having a mounting block bonded to a convex surface of the lens” merely provides a more specific intended use. Note that the arrangement taught by Baumbusch is considered to be capable of holding a lens having a mounting block mounted thereto in any number of arrangements or configurations, simply by attaching such to the workpiece holders taught by Baumbusch. (Note that the independent claims do not recite any socket or the like of the jig.).

Re claims 3-4, 13-14, and 20, note that the workpiece can be fully rotated about the respective V axis (see at least col. 9, lines 39-45, and particularly lines 42-44). Alternatively, as broadly claimed, note that the entire machining device, and thus, the “carriage”, is “able” to be rotated about a vertical axis by any desired angular increment, at least via the use of a crane or fork truck (i.e., picking up the entire machining device with a crane or fork truck and rotating it about a vertical axis by the desired increment, including an angle of 360 degrees or more.

Re claims 8 and 11, note that the “carriage” (any of 123a, b, a’, b’, etc.) is “mounted in a carrier frame”, such as 116 or 116’, for example, so that the “carriage” 123a or 123b or 123a’ or

123b is rotatable about an axis S that lies orthogonal to the first axis V (see Figures 7-9 and col. 9, lines 36-40, for example).

Re claims 9 and 18, Baumbusch explicitly teaches performing boring, i.e., drilling (col. 8, lines 52-60), and re claims 10 and 19, Baumbusch further teaches milling (see at least col. 8, line 60), and thus, the tools are capable of performing “edging”, “reshaping”, and/or “cutting” an outline.

In the alternative, in the event that it is held that the independent claims require a “mounting block” bonded to a workpiece, or a “mounting block” bonded to a convex surface of a lens workpiece, or in the event that language is provided that clearly requires such, it is noted that Baumbusch teaches generic workpiece holders and workpieces, but is silent about how the workpiece holders are configured or how they function to hold the workpieces, and thus, Baumbusch does not explicitly teach any “mounting block”, and additionally, does not explicitly teach that the generically-taught workpiece is a lens.

However, it is noted that Cliber teaches an arrangement (shown in Figure 3) for holding a lens type workpiece 80 for the machining thereof (by cutter 34; see Figure 3). A “mounting block” 82 is “bonded” to the lens 80 via doubled sided adhesive tape 180 (see col. 7, lines 24-29, for example). The spigot of the mounting block 82 is then held within a socket of a lens holder, and a securing arrangement including a vacuum arrangement for applying a vacuum to an “underside” of the spigot of 82 to hold the spigot 82 in the socket is provided (see Figure 3, for example, as well as col. 4, lines 48-57, for example). Plural locating pins 70 (see col. 4, lines 50-52 and Figure 3) are provided for accurately locating the lens block 82 in the chuck 66.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have substituted the specific workpiece clamping arrangement for clamping a lens taught by Cliber for the generic workpiece clamping arrangement for clamping a generic workpiece as taught by Baumbusch for the purpose of expanding the functionality of Baumbusch's device by providing a specific market of interest for the manufacturer's thereof to target, i.e., the lens machining market.

Claim Rejections - 35 USC § 103

13. Claim 2, as best understood in light of the rejections under 35 USC 112 set forth above, is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,344,261 to Cliber as applied to at least claim 1 above, and further in view of U.S. Pat. No. 2,657,596 to De Armas, for example.

Cliber teaches all aspects of the presently-claimed invention as set forth above, but does not explicitly teach any "lens cooling means".

However, De Armas teaches a lens machining apparatus including an arrangement for providing lubricant to lubricate and cool the interface between the lens and the cutting bit (see Figure 3 as well as col. 6, lines 59-73, for example), in order to prevent cracking of the lens, and also in order to remove loose particles from the machined area (see at least col. 6, lines 59-73, col. 1, lines 27-34, and col. 1, last line through col. 2, line 3).

As a side note, it is noted that the limitation "lens cooling means" is not being interpreted as being in accordance with 35 USC 112, 6th paragraph since it is not in the form of "means for (performing a function)". That said, note that even if the language was amended to be in accordance with 35 USC 112, 6th paragraph (i.e., to recite something along the lines of a "means

for cooling the one or more lenses”), note that the present specification, on page 13, indicates that the cooling means is provided “so as to cool the lens during the drilling or cutting of the lens”, and further teaches that “[A]n example of a cooling means is a cooling fluid that can be run over the lens at the region where the machining is taking place”. Further note that the cooling means taught by De Armas serves to provide a cooling fluid that is run over the lens at the region where the machining is taking place (as noted above), and thus, should the language of the claim be so modified, note that the cooling means taught by De Armas would still meet the claim limitation.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have provided the “lens cooling means” taught by De Armas to provide coolant at the tool and lens interface of the machining arrangement taught by Cliber for the purpose of preventing cracking of the lens, and also in order to remove loose particles from the machined area (both as taught by the De Armas reference; see at least col. 6, lines 59-73, col. 1, lines 27-34, and col. 1, last line through col. 2, line 3).

14. Claims 2 and 12, as best understood in light of the rejections under 35 USC 112 set forth above, are rejected under 35 U.S.C. 103(a) as being unpatentable over either:

U.S. Pat. No. 6,298,531 to Baumbusch et al. as applied to at least claims 1 and 11 above,
and further in view of U.S. Pat. No. 2,657,596 to De Armas, for example, or
U.S. Pat. No. 6,298,531 to Baumbusch et al. in view of U.S. Pat. No. 5,344,261 to Cliber
as applied to at least claims 1 and 11 above, and further in view of U.S. Pat. No.
2,657,596 to De Armas, for example.

Either of Baumbusch et al. or Baumbusch et al. in view of Cliber teaches all aspects of the presently-claimed invention as set forth above, but does explicitly not teach any “lens cooling means” as set forth in claims 2 and 12.

However, De Armas teaches a lens machining apparatus including an arrangement for providing lubricant to lubricate and cool the interface between the lens and the cutting bit (see Figure 3 as well as col. 6, lines 59-73, for example), in order to prevent cracking of the lens, and also in order to remove loose particles from the machined area (see at least col. 6, lines 59-73, col. 1, lines 27-34, and col. 1, last line through col. 2, line 3).

As a side note, it is noted that the limitation “lens cooling means” in claims 2 and 12 is not being interpreted as being in accordance with 35 USC 112, 6th paragraph since it is not in the form of “means for (performing a function)”. That said, note that even if the language was amended to be in accordance with 35 USC 112, 6th paragraph (i.e., to recite something along the lines of a “means for cooling the one or more lenses”), note that the present specification, on page 13, indicates that the cooling means is provided “so as to cool the lens during the drilling or cutting of the lens”, and further teaches that “[A]n example of a cooling means is a cooling fluid that can be run over the lens at the region where the machining is taking place”. Further note that the cooling means taught by De Armas serves to provide a cooling fluid that is run over the lens at the region where the machining is taking place (as noted above), and thus, should the language of the claim be so modified, note that the cooling means taught by De Armas would still meet the claim limitation.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have provided the “lens cooling means” taught by De Armas to

provide coolant at the tool and lens interface of the machining arrangement taught by either Baumbusch or Baumbusch in view of Cliber for the purpose of preventing cracking of the lens, and also in order to remove loose particles from the machined area (both as taught by the De Armas reference; see at least col. 6, lines 59-73, col. 1, lines 27-34, and col. 1, last line through col. 2, line 3).

15. Claims 5-7 and 15-17, as best understood in light of the rejections under 35 USC 112 set forth above, are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 6,298,531 to Baumbusch et al. as applied to at least claims 1 and 11 above, and further in view of U.S. Pat. No. 5,344,261 to Cliber.

Baumbusch et al. teaches all aspects of the presently-claimed invention as set forth above, but does not explicitly teach any “sockets” or “securing means” as set forth in claims 5 and 15, nor the “vacuum means” of claim 6, nor the “features that ensure that the spigot does not revolve in the socket” as set forth in claims 7 and 17.

It is noted that Baumbusch teaches generic workpiece holders and workpieces, but is silent about how the workpiece holders are configured or how they function to hold the workpieces, and thus, Baumbusch does not explicitly teach any “mounting block”, and additionally, does not explicitly teach that the generically-taught workpiece is a lens.

However, it is noted that Cliber teaches an arrangement (shown in Figure 3) for holding a lens type workpiece 80 for the machining thereof (by cutter 34; see Figure 3). A “mounting block” 82 is “bonded” to the convex surface of the lens 80 via doubled sided adhesive tape 180 (see col. 7, lines 24-29, for example). The spigot of the mounting block 82 is then held within a socket of a lens holder, and a securing arrangement including a vacuum arrangement for

applying a vacuum to an “underside” of the spigot of 82 to hold the spigot 82 in the socket is provided (see Figure 3, for example, as well as col. 4, lines 48-57, for example). Plural locating pins 70 (see col. 4, lines 50-52 and Figure 3) are provided for accurately locating the lens block 82 in the chuck 66.

Specifically regarding claims 7 and 17, noting that Cliber explicitly teaches the use of plural ones of the locating pins 70 (Figure 3 and col. 4, lines 50-52), which plural pins, by virtue of their location and engagement between the socket and the spigot, would inherently act to ensure that the spigot does not revolve in the socket (see Figure 3 and col. 4, lines 50-52).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have substituted the specific workpiece clamping arrangement for clamping a lens taught by Cliber for the generic workpiece clamping arrangement for clamping a generic workpiece as taught by Baumbusch for the purpose of expanding the functionality of Baumbusch's device by providing a specific market of interest for the manufacturer's thereof to target, i.e., the lens machining market.

Conclusion

16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erica E. Cadugan whose telephone number is (571) 272-4474. The examiner can normally be reached on Monday-Thursday, 5:30 a.m. to 4:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David P. Bryant can be reached on (571) 272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Erica E Cadugan/
Primary Examiner
Art Unit 3726

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